

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

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| <p>In re:</p> <p>THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO,</p> <p>as representative of</p> <p>THE COMMONWEALTH OF PUERTO RICO, <i>et al.</i>,</p> <p>Debtors.¹</p> | <p>PROMESA Title III</p> <p>Case No. 17-BK-3283-LTS</p> <p>(Jointly Administered)</p> |
| <p>In re:</p> <p>THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO,</p> <p>as representative of</p> <p>PUERTO RICO ELECTRIC POWER AUTHORITY,</p> <p>Debtor.</p> | <p>PROMESA Title III</p> <p>Case No. 17-BK-4780-LTS</p> |
| <p>THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO,</p> <p>as a representative of</p> <p>PUERTO RICO ELECTRIC POWER AUTHORITY,</p> <p>Plaintiff,</p> <p>v.</p> | <p>Adv. Proc. No. 19-00391-LTS</p> <p>PROMESA Title III</p> |

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

U.S. BANK NATIONAL ASSOCIATION, AS
TRUSTEE,

Defendant.

**STIPULATION AND AGREED ORDER BY AND AMONG THE OVERSIGHT BOARD,
U.S. BANK NATIONAL ASSOCIATION AND SISTEMA DE RETIRO DE
EMPLEADOS DE LA AUTORIDAD DE ENERGÍA ELÉCTRICA**

This stipulation and consent order (The “Stipulation”) is made and entered into by and among the Financial Oversight and Management Board for Puerto Rico (“Plaintiff”), U.S. Bank National Associate, as Trustee (“Defendant”), and the Sistema de Retiro de Empleados de la Autoridad de Energía Eléctrica (“Proposed Intervenor” and, together with Plaintiff and Defendant, the “Parties”). The Parties hereby stipulate and agree as follows:

RECITALS

WHEREAS the Proposed Intervenor is a creditor of the above-captioned Debtor, and its recoveries may be materially economically impacted by the disposition of this adversary proceeding;

WHEREAS the Proposed Intervenor has previously filed causes of action and other pleadings that raise issues that are likewise raised by Plaintiff in this adversary proceeding; and

WHEREAS the Proposed Intervenor is timely intervening consistent with Rule 7024 of the Federal Rules of Bankruptcy Procedure and the *Order (A) Granting in Part and Denying in Part Urgent Motion of Financial Oversight and Management Board for Order (I) Establishing Schedule to Continue Negotiations During Litigation of Gating Issues Pursuant To Litigation Schedule and (II) Granting Related Relief and (B) Staying Certain Motions Filed by*

PREPA Bondholders [Docket No. 22 in Adv. Proc. No. 19-00391-LTS] (the “Scheduling Order”);
and

WHEREAS the Proposed Intervenor, the Plaintiff, and the Defendant agree to permissive intervention by the Proposed Intervenor as set forth herein, and such intervention will not unduly prejudice or delay the adjudication of the original parties’ rights;

WHEREAS the Proposed Intervenor, the Plaintiff and the Defendant have agreed the Proposed Intervenor may intervene as a plaintiff in this adversary proceeding, subject to the limitations set forth below;

NOW THEREFORE, the Parties hereby stipulate and agree, and upon the Court’s approval the terms hereof shall be ordered and binding on all parties in interest, as follows:

STIPULATION

1. The Proposed Intervenor may intervene as a plaintiff in this adversary proceeding with a right to be heard with respect to any matter in the litigation, subject to the following limitations:

- a. The Proposed Intervenor may only file one non-duplicative brief or other submission in accordance with the litigation schedule attached as Schedule 1 to the Scheduling Order.
- b. One attorney for the Proposed Intervenor may be heard at any oral argument in this adversary proceeding, provided the attorney undertakes to avoid duplication with Plaintiff.
- c. The Proposed Intervenor shall only raise arguments with respect to the counts asserted by Plaintiff in the Amended Complaint filed in this adversary proceeding.
- d. The Proposed Intervenor shall be entitled to receive all discovery produced in connection with this adversary proceeding and to attend depositions in this

adversary proceeding, provided that it avoids duplication with Plaintiff. The Proposed Intervenor shall not be entitled to propound its own discovery requests absent the consent of the other Parties or leave of Court.

- e. The Proposed Intervenor shall not have consent rights over any settlement of the adversary proceeding, but shall retain all rights it has as a party in interest in this Title III case, including the right to object to any settlement under Federal Rule of Bankruptcy Procedure 9019.

2. Past and future statements and writings of the Proposed Intervenor shall not be attributed to or admissions of Plaintiff for any purpose.

3. The Proposed Intervenor may seek relief from any of the foregoing limitations upon a showing of cause.

4. This Order shall take immediate effect and be enforceable upon its entry.

5. The Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

IT IS SO STIPULATED.

Dated: October 6, 2022

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SO ORDERED.

Dated: October 7, 2022

/s/ Judith Gail Dein
HONORABLE JUDITH GAIL DEIN
United States Magistrate Judge